

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

RESTRICTION REQUIREMENT

Restriction had been drawn between the following groups:

- I. Claims 1-17, drawn to the processing system, classified in class 269, subclass 239.
- II. Claims 18-24, drawn to the method of clamping two or more groups of work pieces, classified in claim 29, subclass 559.

Group II had been elected, and in response thereto, claims 18-24 have been cancelled. Applicant affirms the right to pursue these claims in a separate divisional application.

OBJECTION TO THE ABSTRACT

The Examiner has objected to the phraseology of the Abstract. In response thereto, the Abstract has been amended to remove the objectionable terminology. Favorable consideration is respectfully requested.

DISCLOSURE OF PRIOR USE

In accordance with applicant's duty to disclose information which may be material to patentability, the Examiner is hereby advised that the original U.S. provisional application was filed within the one year anniversary of the use of the method in Canada. The present new claims recite a number of method steps, all of which are fully supported by the original U.S. provisional application filed June 28, 2002.

Applicants therefore wish to point out that, to the best of their knowledge, an embodiment of the claimed method was in use in Canada as of July 1, 2001 (Note that the claimed priority date for the subject application is June 28, 2002).

After reasonable inquiry, Applicants submit that, to the best of their knowledge:

1. The method according to the claimed invention, and vehicles having components made in accordance therewith, were not known or used by others in the United States prior to June 28, 2001; and

2. The method according to the claimed invention, and vehicles having components made in accordance therewith, were not in public use or on sale in the United States prior to June 28, 2001.

Insofar as the provisional priority application supports the subject matter being claimed herein, it is understood that the use in Canada is not a reference against the present application. The Examiner is asked to confirm this understanding

THE INVENTION

With the present amendment, method claims 18-14 are hereby cancelled and new method claims 25-38 are presented. Claims 25-38 are drawn to the elected method. New claim 25 recites a method of processing two or more groups of work pieces. The method includes providing a work piece location and positioning a number of clamp devices around the work piece location in order to clamp each of the two or more groups of work pieces at different clamping sites. The claim then recites a number of steps in which the lower clamp unit is actuated and then the upper clamp unit is actuated. This is very different from the prior art relied upon by the Examiner.

THE REJECTIONS UNDER 35 U.S.C. § 102

Claims 18-24 had been rejected under Section 102(b) as being anticipated by Maes (U.S. Pat. No. 3,982,739). This rejection is respectfully traversed, particularly as applied to the claims as newly presented.

Maes simply discloses a "portable vise." A method of operation of such a vise may be regarded as following from the general operation of the vise. But in any event, such a method would be limited to anchoring a vice to a pipe fixture, such as the "lower" circular pipe section shown at 23, for subsequent clamping of a work piece such as the unnumbered "upper" rectangular pipe section. Maes clearly does not disclose, and is not motivated to disclose, a method in which two groups of work

pieces are clamped by upper and lower clamp units which are positioned around a work piece location in the manner now claimed. Rather, Maes is simply concerned with the use of a single vice which can, as described at column 2, line 23, "be carried to the field and it can be easily mounted on any bar, hand rail, or stanchion either horizontal or vertical, and when it accommodates the work at its location, hence the work need not be carried to the bench in the shop."

Therefore, Maes cannot be relied upon show a detailed method having a series of steps such as are recited in independent claim 25, i.e. a method of processing two or more groups of work pieces, including steps of providing a work piece location and positioning a number of clamp devices around the work piece location in order to clamp each of the two or more groups of work pieces at different clamping sites, followed by a number of steps in which the lower clamp unit is actuated and then the upper clamp unit is actuated, as recited therewith. Reconsideration and withdrawal of these grounds of rejection is therefore respectfully requested.

Dependent claims 26-39 recite further features of the present invention that are also not disclosed by the prior art. It is respectfully submitted that the dependent claims are allowable for at least the same reasons as independent claim 25. Therefore, favorable consideration of these dependent claims is earnestly solicited.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. GAS-14134US1 (formerly AIR-14134US1).

Respectfully submitted,

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